

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

)

#8

John Eckl.

) Attorney Docket No.: F-278

Serial No.: 09/903,500

) Group Art Unit: 2767

Filed: July 12, 2001

)

For: BILLING SYSTEM WITH ELECTRONIC AND PRINTED DISTRIBUTION

**DECLARATION UNDER 37 CFR §1.131**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

I, John K. Eckl declare as follows:

1. I am the inventor for the subject matter described in United States patent application serial number 08/772,293, originally titled "Inserter Billing System With Electronic Distribution," (the "'293 application"), which I understand to be the parent of the present application.

2. I have reviewed the Declaration of Lawrence E. Sklar dated June 30, 2001 ("the Sklar Declaration"), and the accompanying Exhibits. I will hereinafter refer to the Exhibits attached to the Sklar Declaration. I believe that the Sklar Declaration accurately describes my involvement in the preparation and filing of the '293 application, as I will describe below in more detail.

3. Prior to January 11, 1996, I prepared and submitted to the Intellectual Property and Technology Law Department of Pitney Bowes Inc. an invention disclosure describing an embodiment of the invention in the '293 application. A copy of the invention disclosure is attached as Exhibit A to the Sklar Declaration. As shown on page 2, the invention disclosure was completed and signed by me on June 13, 1995. As can be seen on page 3 of the disclosure, I had been working on a diagram describing my invention by at least May 16, 1995.

4. On August 6, 1996, Lawrence Sklar ("Larry") sent me a memorandum asking me to consider U.S. Patent Nos. 4,941,091 and 5,283,829 in view of my invention. A copy of the August 6, 1996 memorandum is Exhibit B to the Sklar Declaration.

5. After the August 6 memorandum from Larry, I remained in regular contact with Larry to discuss issues relating to the patent application. As can be seen on Exhibit B, Larry made handwritten notes dated August 8, 23, 27, and 29 and September 10 and 12 indicating various phone conversations with me. These notes are consistent with my recollection of our conversations.

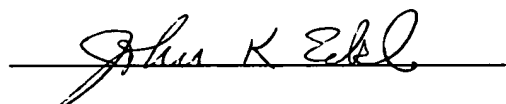
6. At Larry's request, I prepared a further drawing dated October 25, 1996, and a further narrative description of the invention dated November 11, 1996. Copies of that drawing and narrative are in Exhibit C to the Sklar Declaration.

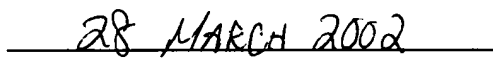
7. By memorandum dated November 20, 1996, Larry sent me a draft of a patent application for review and comment. A copy of the November 20, 1996 memorandum is in Exhibit D to the Sklar Declaration.

8. On December 6, 1996, I faxed (i) a mark-up of a claim of the draft patent application, and (ii) an addition to page 1 of the specification of the draft patent application. A redacted copy of the facsimile message is in Exhibit E to the Sklar Declaration.

9. It is my belief that, from prior to January 11, 1996 until December 23, 1996, I worked diligently in doing my part, along with the Pitney Bowes Intellectual Property Department, toward the filing the '293 patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
John K. Eckl

  
Date